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15 EXTREME NETWORKS, INC.

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16 UNITED STATES DISTRICT COURT  
17  
18 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

19 In re EXTREME NETWORKS, INC.  
20 SHAREHOLDER DERIVATIVE  
21 LITIGATION

Case No. C-07-02268-RMW

22 **STIPULATION AND []**  
23 **ORDER CONTINUING INITIAL CASE**  
24 **MANAGEMENT CONFERENCE AND**  
25 **ASSOCIATED DEADLINES**

26 This Document Relates To:

27 ALL ACTIONS  
28

**TO THE HONORABLE COURT:**

Plaintiff and Defendants hereby stipulate and agree, by and through their undersigned counsel of record, as follows:

WHEREAS, this is a consolidated shareholder derivative action in which plaintiff alleges claims for violations of Sections 10(b), 14(a), and 20(a) of the Securities Exchange Act of 1934, 15 U.S.C. §§ 78j(b), 78n(a), 78t(a), Rule 10b-5, 17 C.F.R. § 240.10b-5, and state law claims concerning stock options grants and related accounting practices by Defendant Extreme Networks, Inc.;

WHEREAS, plaintiff filed his First Amended Consolidated Complaint in this action on October 11, 2007;

WHEREAS, Defendants are required to answer or otherwise respond to the First Amended Consolidated Complaint no later than November 26, 2007, pursuant to the parties' September 26, 2007 stipulation (Docket Entry No. 39);

WHEREAS, Defendants intend to file motions(s) to dismiss the First Amended Consolidated Complaint;

WHEREAS, a Case Management Conference for this action is currently scheduled for October 26, 2007;

WHEREAS, for reasons of judicial economy the parties believe that the Case Management Conference currently scheduled for October 26, 2007 should be continued until after defendants have filed their motions responsive to the First Amended Consolidated Complaint;

WHEREAS, Local Rule 16-2(e) requires Court approval of any stipulation to vary the date of a Case Management Conference;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for all parties, as follows:

1. The Initial Case Management Conference currently set for October 26, 2007 shall be continued to February 8, 2008 at 10:30 a.m., or thereafter, depending on the Court's availability. All other deadlines set forth in the Court's Order Setting Initial Case Management

1 Conference and ADR deadlines are continued accordingly.

2 **IT IS SO STIPULATED.**

3 Dated: October 19, 2007

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1 Dated: October 19, 2007

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**Lead Counsel for Plaintiff**

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28 I, Jonathan M. DeGooyer, am the ECF User whose ID and password are being used to file  
this STIPULATION AND [PROPOSED] ORDER. I hereby attest that the signatory identified  
above has concurred in this filing.

**ORDER**

**PURSUANT TO THE FOREGOING STIPULATION, AND GOOD CAUSE  
APPEARING, THE COURT ORDERS AS FOLLOWS:**

The Initial Case Management Conference currently set for October 26, 2007 shall be continued to February 8, 2008 at 10:30 a.m. All other deadlines set forth in the Court's Order Setting Initial Case Management Conference and ADR deadlines are continued accordingly.

DATED: 10/30, 2007

Ronald M. Whyte  
Hon. Ronald M. Whyte  
United States District Judge

1-SF/7618728.1